UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

CONSTITUTION AND BY-LAWS
OF THE
CHILKOOT INDIAN ASSOCIATION

RATIFIED DECEMBER 5, 1941

UNITED STATES
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CONSTITUTION AND BY-LAWS OF THE CHILKOOT INDIAN ASSOCIATION

PREAMBLE

We, a group of Indians having a common bond of residence in the town of Haines, Territory of Alaska, in order to promote our welfare through the development and operation of social and economic enterprises, do establish this Constitution and By-laws in accordance with, and by authority of, the Act of Congress of June 18, 1934 (48 Stat. 984), as amended by the Acts of June 15, 1935 (49 Stat. 378), and May 1, 1936 (49 Stat. 1250).

ARTICLE I—NAME

SECTION 1. The name of this organization shall be the Chilkoot Indian Association, hereinafter called the Association.

ARTICLE II—MEMBERSHIP

SECTION 1. *Original Members.*—All persons whose names appear on the census roll, prepared in accordance with the Instructions of the Secretary of the Interior for Organization in Alaska, being all the Indians residing in the town of Haines and the neighborhood thereof, shall be members of this Association.

SEC. 2. *Loss of Membership.*—(a) Any member may give up his membership at any time upon written notice to the Secretary of the Council, in which case he shall no longer share in the activities and benefits of this Association, but he may be reinstated as a member upon written application filed with the Secretary of the Council and a majority vote of the members of the Association present at any regular meeting.

(b) Any member who, after notice and an opportunity to present his defense, is found guilty by the Association of fraud or misconduct in his relations with the Association or of working deliberately against the interests of the Association, may be expelled by a two-thirds vote of the members present at any regular or special meeting. A person so expelled may be reinstated as a member upon written application filed with the Secretary of the Council and two-thirds vote of the membership present at any regular meeting.

SEC. 3. *New Members.*—(a) All children of any member who are residents of the town of Haines or the neighborhood thereof shall be members of this Association.

(b) Any Indian who becomes a resident of the town of Haines or the neighborhood thereof may become a member of this Association after maintaining permanent residence.

SEC. 4. *Definition of Residence.*—(a) Any person shall be considered a resident of the neighborhood of Haines who maintains a home within the incorporated limits of the town of Haines or in any area in the vicinity of Haines which may be reserved or otherwise acquired for the use of this Association. Temporary absences shall not constitute loss of residence.

SEC. 5. *Rule-making Power.*—The Association may make rules and regulations to carry out this article.

ARTICLE III—THE COUNCIL

SECTION 1. *Composition and Function.*—(a) There shall be a Council composed of seven members elected by the Association.

(b) The Council shall represent the Association in all its undertakings and shall exercise the powers of the Council enumerated in this Constitution. It shall be the duty of the Council to report its activities and the state of the affairs of the Association at each regular meeting of the Association, at which time the members may outline the policies to be followed by the Council.

SEC. 2. *Election.*—(a) Members of the Council shall be elected by secret ballot on the second Thursday after the second Monday in May or on such other date as may be fixed by the Council.

(b) The Council shall organize itself within thirty days after each annual election date by electing from within its membership a President, and a Vice-President, and from within or without, a Secretary, a Treasurer, and such other officers as it may deem necessary. Officers elected from without the Council shall not vote therein.

(c) Rules and Regulations governing the conduct of elections may be adopted by the Council at any regular or special meeting.

(d) The first election of the Council shall be called and held under the direction of the Principal Teacher at Haines within 60 days after the ratification of this Constitution. Of the first Council elected under this Constitution, the seven candidates receiving the highest number of votes shall be members of the Council.

(e) The members of the Council so elected, shall divide themselves into two groups "A" and "B" by drawing lots, whereupon the term of office of those in group "A" shall terminate on the regular election date of the second May following, and the term of office of those in group "B" shall terminate on the regular election date of the third May following. Thereafter, each member of the Council shall serve two years.

SEC. 3. *Tenure of Office.*—(a) The term of each elected officer shall expire when his successor is elected and qualified.

(b) The president of the Council shall be elected by the Council and shall serve a term of one year.

ARTICLE IV—POWERS OF THE ASSOCIATION

SECTION 1. The Council shall have power: (a) To manage and control all the economic affairs and enterprises of the Association in accordance with a charter which may be issued under the Act of June 18, 1934.

(b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To levy dues, fees, and assessments on its members for Association purposes, and to provide for the collection thereof. No such levy of dues, fees, or assessments shall be effective until ratified by majority vote of the adult members present at any regular or special meeting of the Association.

(d) To organize or to charter associations of its members, for economic purposes and to regulate the same.

(e) To prevent the sale, disposition, lease, or encumbrance of any land, interest in land or waters, or other assets of the Association without the consent of the Council.

(f) To provide for the manner of conducting elections.

(g) To provide for the filling of vacancies in office.

(h) To engage in any business that will further the economic well-being of the members of the Association or to undertake any activity of any nature whatever not inconsistent with law or the provisions of the charter which may be adopted to the Act of June 18, 1934.

(i) To aid needy members and to protect the general welfare and security of members of this Association.

(j) To negotiate with the Federal and Territorial Governments on behalf of the Association and to advise and consult with representatives of the Interior Department on all activities of the Department that may affect the Association.

(k) To make assignments of land areas of the Association for use and occupancy to members of the Association in accordance with the customs of the Indians forming this Association or with the regulations which the Council may adopt.

(l) To protect the natural resources of the Association.

(m) To preserve and cultivate the arts, crafts and culture of the Indians of this community and their customs not in conflict with Territorial law.

Article V—Bill of Rights

Section 1. The Council shall not restrict or in any way abridge the rights of the members of the Association guaranteed under the Constitution of the United States but it shall be its duty to see that the full constitutional rights thereof are maintained and preserved.

Sec. 2. All members of the Association in good standing shall be accorded equal rights and opportunity to participate in and enjoy the resources, property, and benefits of this Organization.

Sec. 3. All members of this Association over the age of 21 years shall have the right to vote.

Article VI—Change of Officers

Section 1. *Forfeiture of Office, Removal and Recall.*—(a) Any member of the Council or other officer of the Association who is convicted of a felony or any other offense involving dishonesty shall forfeit his office.

(b) Any member of the Council who is absent from the regular meetings of the Council for the period of three months without cause or excuse, may have his seat declared vacant by the Council after notice and an opportunity to be heard.

(c) Upon a petition signed by one-third of the adult members of the Association asking the recall of any member of the Council, the Council shall call a special meeting of the Association to vote upon his recall. If the council member is recalled, the Association members shall proceed to elect his successor to fill the unexpired term.

SEC. 2. *Filling Vacancies.*—If the office of a council member is vacant for any reason, except where the member has been recalled, the Council may appoint a successor to serve until the next regular meeting of the Association at which time a member shall be elected to fill the unexpired term.

ARTICLE VII—FEDERATION

The Council may for the purpose of forming a federation or union with other organizations of like character appoint a committee to meet with such other organizations and submit its findings to the said Council for appropriate action.

ARTICLE VIII—AMENDMENTS

Amendments to this Constitution and By-laws may be proposed by resolution of the Council or of the Association which amendments, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members of the Association voting at an election called for the purpose by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote in such election.

BY-LAWS OF THE CHILKOOT INDIAN ASSOCIATION

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. The President of the Council shall preside over all meetings of the Association and of the Council, exercising the usual duties of chairman and any others delegated to him. He may vote in Council meetings only in case of a tie or where the vote is by ballot.

SEC. 2. The Vice-President shall act as president in the absence or disability of the President.

SEC. 3. The Secretary of the Council shall conduct all correspondence and shall keep a complete and accurate record of all business transacted at Council or Association meetings. It shall be his duty to give promptly to the Principal Teacher at Haines, for forwarding and inspection to the Juneau Office of the Office of Indian Affairs, two copies of all minutes of all regular and special meetings of the Council or Association.

The Secretary shall record all rules, regulations, and resolutions in appropriate books, indexing the same and assigning a short title, and may publish the same for the information of the Association.

The Secretary shall notify each person of his election to an office of the Association within five days thereof.

SEC. 4. The Treasurer of the Council shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Council, whether Association funds or other funds for which the Council is responsible. He shall deposit all such funds in such banks or else-

where as directed by the Council and, when a federal charter is adopted, in accordance with such charter. He shall make and preserve a faithful record of such funds and shall report to the Council all receipts and expenditures and the amount and nature of all funds in his possession or custody. He shall not pay out or authorize disbursement of any funds for which he is responsible except upon written authorization of the Council.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Council and acceptable to the Juneau Office of the Office of Indian Affairs, and at such other times as the Council shall direct. He shall give two copies of the auditor's report and, once each month, two copies of his trial balance to the Principal Teacher at Haines for inspection and forwarding to the Juneau Office.

The Treasurer shall be required at the request of the Council or the Commissioner of Indian Affairs to give bond satisfactory to the Council and the Commissioner. The Treasurer shall be present at all special or regular meetings of the Council. The Treasurer may with the advice and consent of the Council appoint assistants.

SEC. 5. The duties of all appointive officers or agents shall be clearly defined by a resolution of the Council at the time of their appointment.

SEC. 6. All accounts, records, books and minutes of the Association shall be subject to examination by members of the Association and by the Commissioner of Indian Affairs or his authorized representatives.

ARICLE II—QUALIFICATIONS OF OFFICERS

SECTION 1. No person may be a candidate for any elective office unless he has the qualifications of a voter.

ARTICLE III—INSTALLATION OF OFFICERS

Each person appointed or elected to an office shall subscribe to the following oath of office before entering upon the duties thereof:

"I _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies; that I will carry out faithfully and impartially the duties of my office as _____ to the best of my ability; that I will promote and protect the best interests of the Association, in accordance with this Constitution and By-laws."

ARTICLE IV—TIME AND PLACE OF COUNCIL MEETINGS AND ORDER OF BUSINESS

SECTION 1. The Council shall meet on the second Monday of each month at 7:30 p. m., unless otherwise ordered by resolutions, and may meet at such other times as may be voted by the Council. The president or three of the Council members may call a special meeting on two days' actual notice to the Council members.

SEC. 2. Unless otherwise ordered by resolution of the Council, meetings shall be held at the principal place of business of the Association, which place shall be such location within the town of Haines as may be determined by the Association by resolution.

SEC. 3. A number equal to one or more than one-half of the membership of the Council exclusive of the President shall constitute a quorum.

SEC. 4. The following shall be the order of business unless changed by or with the consent of the Council, namely,

Call to order by the President;
Roll call;
Announcement of quorum;
Reading the minutes of the last meeting;
Treasurer's report;
Report of Committees;
Unfinished business;
New business;
Adjournment.

SEC. 5. The Council may adopt regulations governing its procedure, and in the absence thereof, Robert's Rules of Order shall govern.

SEC. 6. Every resolution, after the explanatory clauses, shall begin with the words: "Be it resolved by the Council of the Chilkoot Indian Association. . . ."

ARTICLE V—MEETINGS OF THE ASSOCIATION

SECTION 1. Regular meetings of the Association shall be held twice a year on the second Monday in October and the third Monday in April.

Special meetings may be called at any time by three members of the Council, or by the President, and must be so called upon petition of 30 percent of the adult members of the Association. For such meetings three days' posted or written notice must be given.

SEC. 2. One-third of the adult membership shall constitute a quorum at any meeting.

SEC. 3. Meetings shall be held at the principal place of business unless otherwise ordered by resolution of the Association or otherwise specified in the notice of a special meeting.

ARTICLE VI—DEFINITIONS

SECTION 1. Whenever the term "Principal Teacher at Haines" is used, it shall be understood to mean the Principal Teacher for the Department of the Interior, Office of Indian Affairs, or any successor official representing the Office of Indian Affairs in Haines.

SEC. 2. Where the masculine pronoun is used in this Constitution and By-laws and other general documents of the Association, it shall be understood to include the feminine.

SEC. 3. The word "adult" means a person who is 21 years of age or over.

ARTICLE VII—RATIFICATION OF CONSTITUTION AND BY-LAWS.

This Constitution and By-laws shall be effective from and after the date of its ratification by a majority vote of those entitled to vote who vote at an election called for the purpose by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote in such election, such ratification to be formally certified by the Election Board.

The persons entitled to vote are all the adult Indians who are residing in the neighborhood of Haines, Territory of Alaska, and whose names appear on a roll of such Indians compiled under the Instructions of the Secretary of the Interior.

This Constitution and By-laws is herewith approved by the Assistant Secretary of the Interior and submitted for ratification by the group of Indians having a common bond of residence in the neighborhood of Haines, Territory of Alaska, in a popular referendum called and held under the Instructions of the Secretary of the Interior.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws, will be inapplicable to the Chilkoot Indian Village from and after the date of adoption of this Constitution.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

OSCAR L. CHAPMAN,
Assistant Secretary.
[SEAL]

WASHINGTON, D. C., *May 27, 1941.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved July 13, 1938, by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the group of Indians having a common bond of residence in the neighborhood of Haines, Territory of Alaska, and was on December 5, 1941, duly ratified by a vote of 22 for, and 0 against in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378) and May 1, 1936 (49 Stat. 1250).

JOHN M. THLUNAUT,
Chairman, Election Board.

SAMUEL P. TROUTMAN,
Government Representative.

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